

16. On February 26, 2015, the Bronx Supreme Court, presided by Honorable Mogulescu dismissed all charges against Plaintiff, and the matter was terminated in Plaintiff's favor after the People failed to go forward with the suppression hearing. Plaintiff filed a motion to suppress, and a hearing was granted by the Judge. The People did not move forward with the hearing. The matter was therefore dismissed.
17. On July 29, 2014, the Judge granted a *Huntley* Hearing to determine the admissibility of the statements allegedly made by Plaintiff; the Judge granted a *Wade* hearing to determine the propriety of the identification made in the criminal matter; the Judge granted a *Crews* and *Dunaway* hearing to determine if the identification and statements attributed to Plaintiff were the product of an impermissible arrest.
18. The People failed to move forward with the suppression hearing because of lack of the evidence to uphold the charges.
19. Upon information and belief, Plaintiff spent almost 2 months in jail at Rikers Island Correctional Facility. Plaintiff was traumatized and had trouble sleeping, which caused Plaintiff to have high blood pressure. Plaintiff was put on medication for his injuries. Plaintiff further lost jobs opportunities. Plaintiff derived his income from cutting hair as well.
20. Plaintiff did not rob anyone, and there was no evidence that Plaintiff committed the robbery since none of the items allegedly robbed were found on Plaintiff.

21. Officer Rivas, Detective Sullivan, and Sargent Hidalgo arrested and prosecuted Plaintiff without probable cause, and based upon solely on alleged allegation made by a person who seemed to be drunk.

FOR THE FIRST CAUSE OF ACTION BASED UPON FALSE ARREST

42 U.S.C. § 1983

(Against Detective Paul Sullivan, Sargent Yoel Hidalgo, Officer Armando Rivas)

22. Plaintiff repeats, reiterates, and re-alleges each and every allegation contained in paragraphs 1-21 of this Complaint with the same force and effect as if fully set forth herein.

23. By its acts and practices described above, Defendants, Detective Paul Sullivan, Sargent Yoel Hidalgo, Officer Armando Rivas deprived Plaintiff of the rights, remedies, privileges, and immunities guaranteed to every citizen of the United States, in violation of 42 U.S.C. § 1983, including, without limitation, rights guaranteed by the Fourth, and Fourteenth Amendments to the United States Constitution, by, *inter alia* : false arrest thereby causing serious harm to Plaintiff's health, reputation and emotion, humiliation, deprivation of liberty, loss of opportunity of employment, career, and education opportunity, loss of wage.

24. That all times herein after mentioned Defendants wrongfully and intentionally detained and falsely arrested Plaintiff at the 50th Precinct Police Station, and later at Rikers Island Jail.

25. That Detective Paul Sullivan, Sargent Yoel Hidalgo, Officer Armando Rivas detained, arrested Plaintiff and placed Plaintiff under arrest.

26. That Detective Paul Sullivan, Sargent Yoel Hidalgo, Officer Armando Rivas intended to arrest Plaintiff.